

## **REMARKS**

**[0004]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-13 and 15-20 are currently pending
- Claims 1-11 and 16 are amended herein
- Claims 14 and 21 are canceled herein

### **Claims 1-10 and 21 Recite Statutory Subject Matter Under § 101**

**[0005]** Claims 1-10 and 21 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection. Claim 21 is canceled herein rendering the rejection moot.

**[0006]** Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends claim 1-10 as shown above. Applicant respectfully submits that these amendments render the § 101 rejection moot.

### **Claims 11 and 21 Comply With § 112 First Paragraph**

**[0007]** Claims 11 and 21 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully traverses this rejection. Claim 21 is canceled herein rendering the rejection moot.

[0008] Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends claim 11 in response to the § 112, first paragraph rejections as shown above. Applicant respectfully submits that these amendments render the § 112, first paragraph rejections moot.

### **Cited Documents**

[0009] The following documents have been applied to reject one or more claims of the Application:

- Barzilai: Barzilai et al, U.S. Patent Application Publication No. 2002/0104015.
- Ahlstrom: Ahlstrom et al, U.S. Patent No. 6,327,618.
- W3Schools, "Introduction to XSL", retrieved at <<www.w3schools.com>> on 12/12/08.

### **§ 103 Rejections: Barzilai and Ahlstrom**

[0010] Claims 1-6, and 8-21 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Barzilai in view of Ahlstrom. Applicant respectfully traverses the rejection. Claim 21 is canceled herein thus rendering the rejection moot.

#### **Independent Claim 1**

[0011] Applicant submits that the Office has not made a *prima facie* showing that independent claim 1 is obvious in view of the combination of Barzilai and Ahlstrom. First, Applicant submits that the combination of Barzilai and Ahlstrom does not teach or suggest the following features of this claim, as amended (with emphasis added):

- receiving one or more user concerns, the one or more user concerns *generated from a user concerns interface displayed on a client computer, the user concerns interface having a list of selectable user concerns.*
- identifying specific portions of the Web site privacy policy that conflict with the user concerns.
- transferring the identified specific portions of the Web site privacy *policy to a conflict bucket.*
- outputting the Web site privacy policy onto the display device, wherein the *identified specific portions are outputted from the conflict bucket* and the identified specific portions appear before non-conflicting portions of the Web site privacy policy, the conflict bucket containing only the specific portions of the Web site privacy policy that conflict with the user concerns.

**[0012]** The Office cites Barzilai as allegedly teaching or suggesting the user concerns element of claim 1 as follows: "Barzilai discloses . . . comparing one or more user concerns with a Web site privacy policy ([0003-4], Platform for Privacy Preference Project (P3P) browsers automatically read a web site's privacy policies and compare it to the consumer's (users) privacy preferences (concerns)]" (Office Action, page 6, lines 13-15). Barzilai generally pertains to an enterprise privacy manager (EPM) to provide e-commerce users with notice of an enterprise's privacy policy "in effect at the specific node that they are currently visiting" and receiving consent from the user prior to the user "submitting private information." (Barzilai, paragraph [0012]).

**[0013]** The enterprise of Barzilai is envisioned as a group of nodes where "each such node represents a Web page or group of Web pages, within a Web site or group of sites

maintained by the enterprise.” Barzilai, paragraph [0011]). The privacy policies may vary from node to node such that a “basic privacy policy is defined for a root node in the structure, typically the enterprise home page” and additional “privacy rules are defined for other nodes in the hierarchy.” As the user clicks deeper and deeper into the enterprise’s nodes, “the level of privacy provided for user information typically increases” as the user “is asked to submit additional personal information or to authorize additional uses of information already submitted.” (Barzilai, paragraph [0013]).

**[0014]** Thus, Applicant submits that the user concerns of Barzilai relates to where the user is in the hierarchy. For example, if the user is exchanging information at the root node, the user is first asked to consent to a privacy policy pertaining to that root node. When the user consents to that privacy policy, Barzilai maintains a log indicating “the privacy policies in effect with respect to each such information exchange.” (Barzilai, paragraph [0015]). Hence, the user concerns of Barzilai are simply the web site’s privacy policy in effect at the time the user exchanges information with the web site. These user concerns may then be used by Barzilai to determine whether an application’s attempts to “access the private information that users have submitted” complies “with the privacy policies subject to which the users submitted the information.” (Barzilai, paragraph [0012]).”

**[0015]** As a result, Applicant submits that Barzilai fails to teach or suggest the recitation of claim 1 since the user concerns of Barzilai is simply the user consenting to a web site’s privacy policy rather than “one or more user concerns *generated from a*

*user concerns interface displayed on a client computer*” as recited in claim 1. (Emphasis added).

**[0016]** Ahlstrom fails to remedy the deficiencies in Barzilai noted above with respect to claim 1, as Ahlstrom is silent with respect to receiving user concerns from the user as recited in claim 1. Rather, Ahlstrom compares two segments of software code for conflicts.

**[0017]** Second, Applicant further submits that the cited art fails to teach or suggest, “outputting the Web site privacy policy onto the display device, wherein the identified *specific portions are outputted from the conflict bucket*” as recited in claim 1.

**[0018]** The Office cites Ahlstrom as allegedly teaching the outputting the Web site privacy policy element as follows: “Ahlstrom teaches when a conflict is found the policy verifier displays the conflicting policies to a user.” (Office Action, page 7, lines 10-11). Ahlstrom generally pertains to “recognizing and resolving a conflict among at least a first network management policy and a network management second policy that govern operation of a network.” (Ahlstrom, column 4, lines 35-52). Specifically, “[i]f a policy conflict is found, then . . . block 210 may involve displaying the conflict policies to a user.” (Ahlstrom, column 10, lines 20-31).

**[0019]** Ahlstrom further discloses that prior to testing the policies for conflicts, the policy management system of Ahlstrom receives the policies by “reading one or more source definitions of policies from a mass storage device, or receiving policy definitions in a partially compiled, tokenized or p-code format.” (Ahlstrom, column 9, lines 50-58). Thus, the conflicting policies that are displayed in Ahlstrom are displayed from the mass storage device from which they originate. Since the mass storage device of Ahlstrom

contains a variety of conflicting and non-conflicting policies, Ahlstrom fails to teach or suggest “the identified specific portions are outputted from the conflict bucket” where “the conflict bucket *containing only the specific portions of the Web site privacy policy that conflict with the user concerns*” as recited in claim 1. (Emphasis added).

**[0020]** Barzilai fails to remedy the deficiencies in Ahlstrom noted above with respect to claim 1 as Barzilai as silent as to outputting conflicting portions of a privacy policy.

**[0021]** Consequently, the combination of Barzilai and Ahlstrom does not teach or suggest all the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn. Due to the Applicant's earnest belief that the claim 1, as rejected under Section 103, is believed allowable for reciting elements which are not taught or suggested in the combination of Barzilai and Ahlstrom, Applicant will not address motivation to combine the Barzilai and Ahlstrom references with respect to claim 1 during this response. However, Applicant hereby reserves the right to further challenge the motivation to combine the Barzilai and Ahlstrom references.

**[0022]** The amendments to claim 1 are supported by the specification on at least paragraph [0027] and paragraph [0053]. No new matter is added.

**Dependent Claims 2-6 and 8-10**

**[0023]** Claims 2-6 and 8-10 ultimately depend from independent claim 1. As discussed above, claim 1 is allowable over the cited art. Therefore, claims 2-6 and 8-10 are also allowable over Barzilai in view of Ahlstrom at least for their dependency from independent claim 1. These claims may also be allowable for the additional features that they recite. For example, dependent claim 3 recites: “The processor-executable

method as recited in claim 1, wherein the identifying specific portions of the Web site privacy policy that conflict with the user concerns further comprises displaying an icon to the display device.”

**[0024]** Claim 3 has been amended to include elements not previously presented in any of the claims. Applicant submits that Barzilai and Ahlstrom fail to teach or suggest the elements of claim 3 as Barzilai and Ahlstrom are silent as to “displaying an icon” when there is a conflict in the privacy policy as recited in claim 3. Rather, Ahlstrom is limited to “displaying the conflict policies to a user” when there is a conflict in the policies. (Ahlstrom, column 10, lines 20-31).

**[0025]** Accordingly, claims 2-6 and 8-10 are allowable for at least the foregoing reasons.

**[0026]** The amendments to claim 3 are supported by the specification on at least paragraph [0043]. No new matter is added.

**Independent Claim 11**

**[0027]** Applicant submits that the Office has not made a *prima facie* showing that independent claim 11 is obvious in view of the combination of Barzilai and Ahlstrom. First, Applicant submits that the combination of Barzilai and Ahlstrom does not teach or suggest the following features of this claim, as amended (with emphasis added):

- a user concerns menu to allow a user to enter privacy concern preferences to be used in evaluating a Web site privacy policy file.
- a trust engine for evaluating the privacy policy file, the trust engine enabled to:

- o *query the user* as to whether the user wishes to continue browsing the network Web site when the network Web site does not contain the privacy policy file.

**[0028]** The Office cites Barzilai as allegedly teaching or suggesting the user concerns menu element of claim 11 as follows: "Barzilai discloses . . . a user concerns menu to allow a user to enter user privacy concern preferences to be used in evaluating a Web site privacy policy file ([0003, 0024, web sites prompt users to input various items]; see also, [0061-62, graphical user interface enables the administrator to create, review, and edit policies])." (Office Action, page 10, lines 17-20).

**[0029]** Applicant submits that Barzilai fails to teach or suggest receiving user entered "privacy concern preferences" as recited in claim 11. Rather, the only data entered by the user in Barzilai is the "sensitive information when he or she submits a product inquiry to the site and subsequently places an order." (Barzilai, paragraph [0018]). The Office cites paragraphs [0061] and [0062] as allegedly teaching or suggesting the user concerns menu element of claim 11. However, paragraphs [0061] and [0062] refer to the web site owner creating the privacy policy itself rather than the user entering privacy policy *concern preferences*.

**[0030]** Ahlstrom fails to remedy the deficiencies in Barzilai noted above with respect to claim 11, as Ahlstrom is silent with respect to receiving user concerns from the user as recited element of claim 11. Rather, Ahlstrom compares two segments of software code for conflicts.

**[0031]** Second, Applicant submits that claim 11 is further allowable over the cited art since Barzilai in view of Ahlstrom fails to teach or suggest "*query the user* as to whether



the user wishes to continue browsing the network Web site when the network Web site does not contain the privacy policy file” as recited in claim 11. (Emphasis added).

**[0032]** The query the user aspect of claim 11 was not previously recited by any claim; accordingly, the Office has not cited any prior art as allegedly teaching or suggesting this aspect. Applicant notes that Barzilai is silent on any teachings or suggestions of querying the user as applied to the recitations of Applicant's claim 11. Rather, the only discussion in Barzilai that may relate to requesting user input is presented at paragraph [0003] as follows: “Enterprise Web sites prompt users to input various items of personal information as a prerequisite to providing information or supplying goods to the users.” (Barzilai, paragraph [0003]). However, prompting users for personal information fails to teach or suggest “query the user as to *whether the user wishes to continue browsing the network Web site*” as recited in claim 11.

**[0033]** Ahlstrom fails to remedy the deficiencies in Barzilai noted above with respect to claim 11, as Ahlstrom is silent with respect to browsing Web sites.

**[0034]** Consequently, Barzilai in view of Ahlstrom does not teach or suggest all of the elements and features of claim 11. Accordingly, Applicant respectfully requests that the rejection of claim 11 be withdrawn. The amendments to claim 11 are supported by the specification on at least paragraphs [0035] and [0036]. No new matter is added.

#### Dependent Claims 12-15

**[0035]** Claims 12-15 ultimately depend from independent claim 11. As discussed above, claim 11 is believed allowable over the cited art. Therefore, claims 12-15 are also allowable over Ahlstrom at least for their dependency from an allowable base claim. Claims 12-15 may also be allowable for the additional features recited.

Independent Claim 16

[0036] Applicant submits that the Office has not made a *prima facie* showing that independent claim 16 is obvious in view of the combination of Barzilai and Ahlstrom. Applicant submits that the combination of Barzilai and Ahlstrom does not teach or suggest the following features of this claim, as amended (with emphasis added):

- receiving a set of user concerns *selected from a list of possible user concerns*.

[0037] Applicant submits that Barzilai in view of Ahlstrom fails to teach or suggest the recitations of claim 16. Specifically, the user in Barzilai fails to select user concerns from “a list of possible user concerns” as recited in claim 16. Rather, Barzilai discloses that a user’s consent to a web site is used to determine whether or not an application has access to user submitted sensitive data. (Barzilai, paragraph [0003]). Furthermore, Ahlstrom fails to remedy the deficiencies in Barzilai as Ahlstrom is silent with respect to receiving user concerns. Rather, Ahlstrom compares two segments of software code for conflicts. (Ahlstrom, column 9, lines 50-58)

[0038] Consequently, Barzilai in view of Ahlstrom does not teach or suggest all of the elements and features of claim 16. Accordingly, Applicant respectfully requests that the rejection of claim 16 be withdrawn.

[0039] The amendments to claim 16 are supported by the specification on at least paragraph [0053]. No new matter is added.

Dependent Claims 17-20

[0040] Claims 17-20 ultimately depend from independent claim 16. As discussed above, claim 16 is believed allowable over the cited art. Therefore, claims 17-20 are

also allowable over Ahlstrom at least for their dependency from an allowable base claim. Claims 17-20 may also be allowable for the additional features recited.

**§ 103 Rejections: Barzilai and W3Schools**

[0041] Claim 7 stands rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Barzilai in view of W3Schools. Applicant respectfully traverses the rejection.

[0042] Claim 7 depends from independent claim 1. Given the evidence and arguments as well as clarifying amendments for claim 1, Applicant respectfully submits that Barzilai and W3Schools, in combination, fail to render the claimed subject matter obvious. Specifically, as stated above, Barzilai and Ahlstrom do not teach or suggest outputting the identified specific portions from the conflict bucket where “the conflict bucket *containing only the specific portions of the Web site privacy policy that conflict with the user concerns*” as recited in claim 1. (Emphasis added).

[0043] Moreover, W3Schools are also silent with respect to this element of claim 1. Accordingly, claim is allowable for at least its dependency on an allowable base claim, as well as for additional subject matter it recites.

## **Conclusion**

**[0044]** Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

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